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NEXSEN | PRUET

INTERVENOR
#2 10/10/05 @ 11:00 a.m.

Marcus A. Manos
Member
Admitted in SC, NC, DC

August 26, 2005

VIA HAND DELIVERY

Charles L.A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Office Park
101 Executive Center Drive
Post Office Drawer 11649
Columbia, South Carolina 29211

RECEIVED
2005 AUG 26 PM 2:30
SOUTH CAROLINA
PUBLIC SERVICE COMMISSION

**Re: Application of Duke Energy Corporation for Authorization to
Enter Into a Business Combination Transaction with Cinergy
Corporation / Docket No. 2005-210-E**

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Dear Mr. Terreni:

Enclosed please find for filing with the Commission an original and eleven copies of the Petition To Intervene of the Electric Cooperatives of South Carolina, Inc., Central Electric Power Cooperative, Inc. and Saluda Electric Cooperative, Inc. in the above referenced matter. Please return a copy, clocked-in, to me via our courier.

By copy of this letter and as evidenced by the attached Certificate Of Service, we are serving all counsel and parties of record with a copy of the above Petition to Intervene.

If you have any questions, please do not hesitate to contact me.

DATE: OK AS
DATE: OK AS

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Attorneys and Counselors at Law

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Charles L.A. Terreni
August 26, 2005
Page 2

With best regards, I am

Very truly yours,

A handwritten signature in black ink that reads "Marcus A. Manos" followed by a small mark that appears to be "by Jde".

Marcus A. Manos

MAM/hjr

Enclosure

cc w/encl.: Scott Elliott, Esquire
William F. Austin, Esquire
Florence P. Belser, Esquire/Shannon B. Hudson, Esquire
Paul R. Newman

BEFORE
THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
DOCKET NO. 2005-210-E

80
06/15/05
2005 JUN 26 PM 2:28
RECORDED

IN THE MATTER OF:

Application of Duke Energy Corporation For
Authorization to Enter into a Business
Combination Transaction with Cinergy
Corporation

PETITION TO INTERVENE

The Electric Cooperatives of South Carolina, Inc., ("ECSC") Central Electric Power Cooperative, Inc., ("Central") and Saluda River Electric Cooperative, Inc. ("Saluda" jointly referred to as the "Petitioners") petition the South Carolina Public Service Commission ("Commission") pursuant to R.103-836 of the Commission's rules and regulations to intervene and be made parties of record in the above captioned docket. In support of this Petition, ECSC, Central, and Saluda would allege as follows:

1. Duke Energy Corporation ("Duke") has filed an application pursuant to S.C. Code Ann. §58-27-1300 (Supp. 2004) for authorization to enter into a business combination with Cinergy Corporation ("Cinergy").
2. Section 58-27-1300 of the South Carolina Code provides for Commission approval prior to the consolidation or merger of a utility's property, power, franchises, or privileges.
3. The Commission has established Docket No. 2005-210-E to consider the application filed by Duke.
4. ECSC consists of member electric cooperatives organized in the State of South Carolina, for the primary purpose of providing, distributing, and transferring electricity to

electric cooperative members throughout the State of South Carolina.

5. Central is a generation and transmission (“G&T”) cooperative organized in the State of South Carolina, providing services directly or indirectly to the twenty electric distribution cooperatives in the State.

6. Saluda, a member of Central, is a G&T cooperative organized in the State of South Carolina, providing services directly to five electric distribution cooperatives in the State.

7. The ECSC, Central, Saluda and their members have a direct and material interest in the issues to be addressed and resolved by the Commission in this docket and the interests of their members are not adequately represented by the current parties to this proceeding.

8. The record reflects that this matter may deal with retail rates and charges that could ultimately affect Petitioners and that given the state of the record at this stage of the proceedings, ECSC, Central, and Saluda lack sufficient information to fully develop and state their position in this proceeding at this time.

9. Granting Petitioners’ request to be made parties of record in this proceeding is in the public interest, is consistent with the policies of the Commission in encouraging maximum public participation in issues before it, and should be allowed so that a full and complete record addressing the views and concerns of ECSC, Central, and Saluda and its members can be developed.

10. Pursuant to Rule R. 103-804 (S) of the Commission's Rules of Practice and Procedure, Petitioners are represented by counsel in this proceeding:

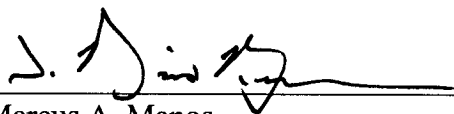
Marcus A. Manos, Esquire
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Arthur G. Fusco, Esquire
Vice President and General Counsel
Central Electric Power Cooperative, Inc.
Post Office Box 1455
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WHEREFORE, Petitioners pray for the following relief:

- a. That this Petition to Intervene be accepted and that Petitioners be made parties of record;
- b. That Petitioners' intervention petition be considered prior to any hearing on the underlying matter; and
- c. That Petitioners be allowed to participate fully in this proceeding and take such position as they deem advisable.



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August 26, 2005

Columbia, South Carolina

Attorneys for Intervening Petitioners, The Electric
Cooperatives of South Carolina, Inc., Central
Electric Power Cooperative, Inc., and Saluda River
Electric Cooperative, Inc.

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2005-210-E

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PUBLIC SERVICE COMMISSION
COLUMBIA, SOUTH CAROLINA

IN THE MATTER OF:

Application of Duke Energy Corporation For
Authorization to Enter into a Business
Combination Transaction with Cinergy
Corporation

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **PETITION TO INTERVENE** has been served upon counsel and parties of record by depositing a copy of the same in the United States Mail, first-class postage prepaid on the 26th day of August, 2005, to the addresses shown below.

William F. Austin, Esquire
AUSTIN LEWIS & ROGERS, PA
508 Hampton Street
Columbia, South Carolina 29201

Scott, Elliott, Esquire
ELLIOTT & ELLIOTT, P.A.
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Columbia, South Carolina 29205

Paul R. Newman, Docketing Dept.
DUKE ENERGY CORPORATION
Post Office Box 1244

Florence P. Belser, Esquire
Shannon B. Hudson, Esquire
OFFICE OF REGULATORY

STAFF

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NEXSEN PRUET ADAMS KLEEMEIER, LLC

Columbia, South Carolina